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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/644,198	08/22/2000	Tamotsu Ito	16869P-011900US	1115

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EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2623

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/04/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/644,198	Applicant(s) ITO ET AL.	
	Examiner Reuben M. Brown	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/8/2007 has been entered.

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 & 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi, (U.S. Pat # 6,483,983).

Considering amended claims 1 & 36, Takahashi teaches an apparatus (Fig. 1) that enables a user to access a plurality of programs. The amended claimed features of the content including a plurality of titles that includes a plurality of chapters, each chapter including a plurality of frames, the titles and chapters include moving pictures, is met by the disclosure of Takahashi (Fig. 3; col. 5, lines 21-40; col. 6, lines 20-40; col. 9, lines 31-40).

‘driver module configured to access the content and having a driver output to produce an information signal for the accessed content’ and ‘a decoder module operatively coupled to the driver module to receive information signal’, reads on the driver unit 1 and decoder unit 3, (Fig. 1; col. 3, lines 62-67 thru col. 4, lines 1-37).

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‘user input module configured to receive user input with at least a select button and/or cursor button’, reads on the user interface 11, col. 4, lines 56-67.

‘a system control module configured to control, the driver and decoder modules to produce as first display for a plurality of titles, each titles being represented by a single frame in the first display signal, at least these single frames for the plurality of programs are configured to be displayed on a display module as a title selection screen’, Takahashi shows in Fig. 3 that a plurality of titles are available for selection by the user (as tag 18). The claimed title selection screen, is broad enough to read on the titles (1-3) being displayed on Fig. 3.

‘wherein the system control module, in response to receiving a user-specified title selection from the select button is configured to control the decoder module to produce a second display signal fro the plurality of chapters, each of the chapters being represented by a single frame, at least these single frames for the plurality of chapters are configured to be displayed on a display module as a chapter selection screen’, also is broad enough to read on the disclosure of Takahashi, (Fig. 3; col. 5, lines 21-49).

‘wherein the system control module, in response to receiving a user specified title selection from the cursor button, is configured to control the decoder module to play back automatically user-specified title as a small frame if there is no button input for a select period of time’, reads on the disclosure of Takahashi, (col. 7, lines 65-67 thru col. 8, lines 1-2; col. 11, lines 25-67; col. 12, lines 32-63).

Considering claim 36, the claimed elements of an apparatus for accessing content on a storage medium that correspond with subject matter mentioned above in the rejection of claim 1, is likewise treated. Furthermore, claim 36 recites 'program', which corresponds with the claimed 'title' of claim 1. Also claim 36 recites, 'plurality of scenes', which likewise corresponds with claimed chapters of claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 35 & 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi.

Considering claims 35 & 37, Takahashi does not teach the claimed feature of fast forward playback. Official Notice is taken that at the time the invention was made, fast forward playback

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was old in the art. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Takahashi with the feature of fast forward playback, at least for the known advantage of allowing the user to quickly access desired content which has not yet been normally played, as known in the VCR control technology.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- A) Nagasaka Teaches video playback by selecting small frames.
- B) Yeo Teaches indexed storage and retrieval of image content.
- C) Gibson Teaches making content available only for a predetermined period of time after an initial graphical indication by the user.
- D) Jeon Selection of titles from a DVD using a separate screen.
- E) Setogawa Accessing content by title, chapter menus.

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Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
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or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown


REUBEN M. BROWN
AGENT EXAMINER